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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/623,262

07/18/2003

Frederick S. M. Herz

REFH-0155

3489

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02/05/2007

EXAMINER

WHIPPLE, BRIAN P

ART UNIT

PAPER NUMBER

2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

### **NOTICE OF NON-COMPLIANCE**

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires numbering of the claims to be preserved throughout the prosecution. When claims are presented, they must be numbered consecutively.

2. The number of claim(s) being presented is unclear. The applicant lists three claims on the fee sheet, the application has been entered by the Office as containing one claim, and the examiner believes that four claims have been presented. The applicant must number the claim(s) to clarify the number of claim(s) before a detailed action can be issued.

3. The applicant is directed to MPEP § 608. Specifically, MPEP § 608.01(i) for claims, MPEP § 608.01(j) for the numbering of claims, and MPEP § 608.01(m) for the form of claims.

4. A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Thu (7:30 to 5), Fri (8:30 to 5 or day off).

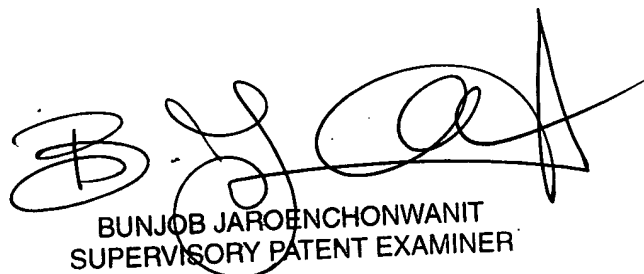
Art Unit: 2152

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple  
1/31/07

  
BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER